

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:09CR3131
)	
v.)	
)	
ANTONIO AMILCAR VELASQUEZ,)	MEMORANDUM AND ORDER
)	
Defendant.)	

Defendant has moved to continue the trial currently set for February 22, 2010. Filing No. 22. Defense counsel states the parties need additional time to either negotiate a plea or prepare for trial. The government does not oppose the requested continuance. The Court finds the defendant's motion to continue should be granted.

IT IS ORDERED:

- 1) Defendant's unopposed motion to continue, (filing no. 22), is granted.
- 2) The trial of this case is set to commence at 9:00 a.m. on March 22, 2010 for a duration of four trial days. Jury selection will be at the commencement of trial.
- 3) Defendant's motions for Writ of Habeas Corpus Ad Testificandum, (filing nos. 19, 20, and 21), are denied as moot.
- 4) Based upon the showing set forth in the defendant's motion and the representations of his counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendants and the public in a speedy trial. Accordingly, the time between today's date and March 22, 2010 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 12th day of February, 2010.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge